

Appl. No. : 09/915,495
Filed : July 26, 2001

REMARKS

A. Introduction

Applicant respectfully requests reconsideration and allowance of this application. Claims 1-3, 7 and 8 are pending in the application. Applicant has canceled Claims 4-6 and 9-20. Applicant submits that this application, as amended, is in condition for allowance, and Applicant earnestly requests such action. Below, Applicant addresses each of the Examiner's reasons for rejection.

B. All Claims are Patentable Over the Prior Art

Williams - § 102 Rejections

The Examiner rejected Claim 1 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,401,401 to Williams. Applicant respectfully submits that Williams does not show every limitation recited in Claim 1. For example, Williams does not show first and second flaps.

Applicant further respectfully submits that Williams is not prior art to the present application. Applicant submits herewith the Declaration of inventor Gene Summy. This Declaration establishes an invention date of embodiments claimed in the present application before October 20, 2000, which is the filing date of U.S. Patent No. 6,401,401 to Williams. The Examiner cited Williams under 35 U.S.C. § 102(e). However, the enclosed Declaration establishes that Williams does not qualify as prior art to the present application under 35 U.S.C. § 102(e). Accordingly, Applicant respectfully requests that the Examiner withdraw this rejection.

Williams in view of Tajima et al.

The Examiner rejected Claims 2, 3, 7 and 8 under 35 U.S.C. § 103(a) as being unpatentable over Williams in view of U.S. Patent No. 4,248,926 to Tajima et al. As discussed above, Williams is not prior art to the present application. Accordingly, Applicant respectfully submits that Claims 2, 3, 7 and 8 are allowable over Williams in view of Tajima et al. Applicant respectfully requests that the Examiner withdraw these rejections.

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CONCLUSION

For the reasons presented above, Applicant respectfully submits that this application is in condition for allowance. If there is any further hindrance to allowance of the pending claims, Applicant invites the Examiner to contact the undersigned.


Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 5-12-04

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